



Public Notice

US Army Corps
of Engineers
Memphis District

200300663

REPLY TO ATTN: Tom Skelton
U.S. Army Corps of Engineers
167 North Main Street, Room B-202
Memphis, Tennessee 38103-1894
Telephone: (901) 544-3468
Fax (901) 544-3266
E-Mail: James.T.Skelton@usace.army.mil
POSTMASTER PLEASE POST UNTIL:

PUBLIC NOTICE NO:
MS-2003-663 (TS)
REFERENCE NUMBER:
200300663
PUBLIC NOTICE DATE:
February 11, 2004
EXPIRATION DATE:
March 12, 2004

**Joint Public Notice
Corps of Engineers
and
State of Mississippi**

AUTHORITY: Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces an application submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

APPLICANT: Lanier Hurdle
Burch & Hurdle
P.O. Box 807
Holly Springs, Mississippi 38634
(901) 619-4646

AGENT: Thomas E. Heineke
Heineke & Associates, Inc.
3014 Sycamore View Road
Bartlett, Tennessee 38134-5962
(901) 373-3289

LOCATION: The project is located south of the present terminus of Swinnea Road in Southaven, DeSoto County, Mississippi, at approximate latitude 34 -56-32.8387 and longitude 89 -58-17.6961 on the Pleasant Hill 7.5 minute quadrangle map.

PURPOSE: The purpose of the project is to develop a residential subdivision.

DESCRIPTION OF WORK: The applicant proposes to develop The Estates at Swinnea Ridge, a 60-acre residential subdivision. The development will require the filling of 0.32 acres of wetlands. The project will be constructed in two phases. Phase I involves all of the property north of the main east-west tributary running across the property and Phase II will be built on the rest of the site (south of this tributary). During construction of Phase I, excess earthen material will be moved to the Phase II part of the site and that portion of the property will be graded in preparation for development.

To move the earthen material, an earthen road crossing of the east-west tributary will be constructed. The crossing will be built on the future alignment of Swinnea Road. This crossing will have an approximately 20-foot top width with 3h:1v side slopes. A 96-inch diameter metal culvert will be placed in the tributary to allow for flow. The road material will be left in place for the extension of Swinnea Road which will ultimately be constructed by the city of Southaven.

The impacted wetlands are a depressional area dominated by bottombush and red maple. The applicant proposes to mitigate for wetland losses by purchase of 1.0 acre from the Delta Mitigation Bank located in Tallahatchie County, Mississippi.

WATER QUALITY CERTIFICATION: By copy of this public notice, the applicant is requesting water quality certification from the Mississippi Department of Environmental Quality, Office of Pollution Control, that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341(a)(1) of the Clean Water Act and all State laws and regulations promulgated pursuant thereto. This certification or evidence of waiver thereof, must be submitted prior to the issuance of a Corps of Engineers permit. Commentors are requested to also furnish a copy of their comments to the Mississippi Department of Environmental Quality, Office of Pollution Control, P.O. Box 10385, Jackson, MS 39289-0385. The Department will consider all relative comments in the decision to grant or deny water quality certification for the proposed activity. The Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

ENDANGERED SPECIES: No endangered or threatened species, or their critical habitat, are known to exist in the project area. This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments they may have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

CULTURAL RESOURCES: The Memphis District is complying with the National Historic Preservation Act of 1966 and implementing regulations found in 36 CFR Part 800. The Memphis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may conduct, or require a survey of the project area.

FLOOD PLAIN: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed public notice and apprise this office of any flood plain development permit requirements.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

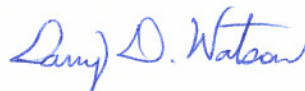
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: If you wish to obtain additional information or to submit comments on the application, please contact Tom Skelton at the U.S. Army Corps of Engineers, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894, telephone (901) 544-3468. Copies of all comments, including the names and address of commenters, may be provided to the applicant for consideration and response prior to a decision by the Corps.

Comments should be received by March 12, 2004.

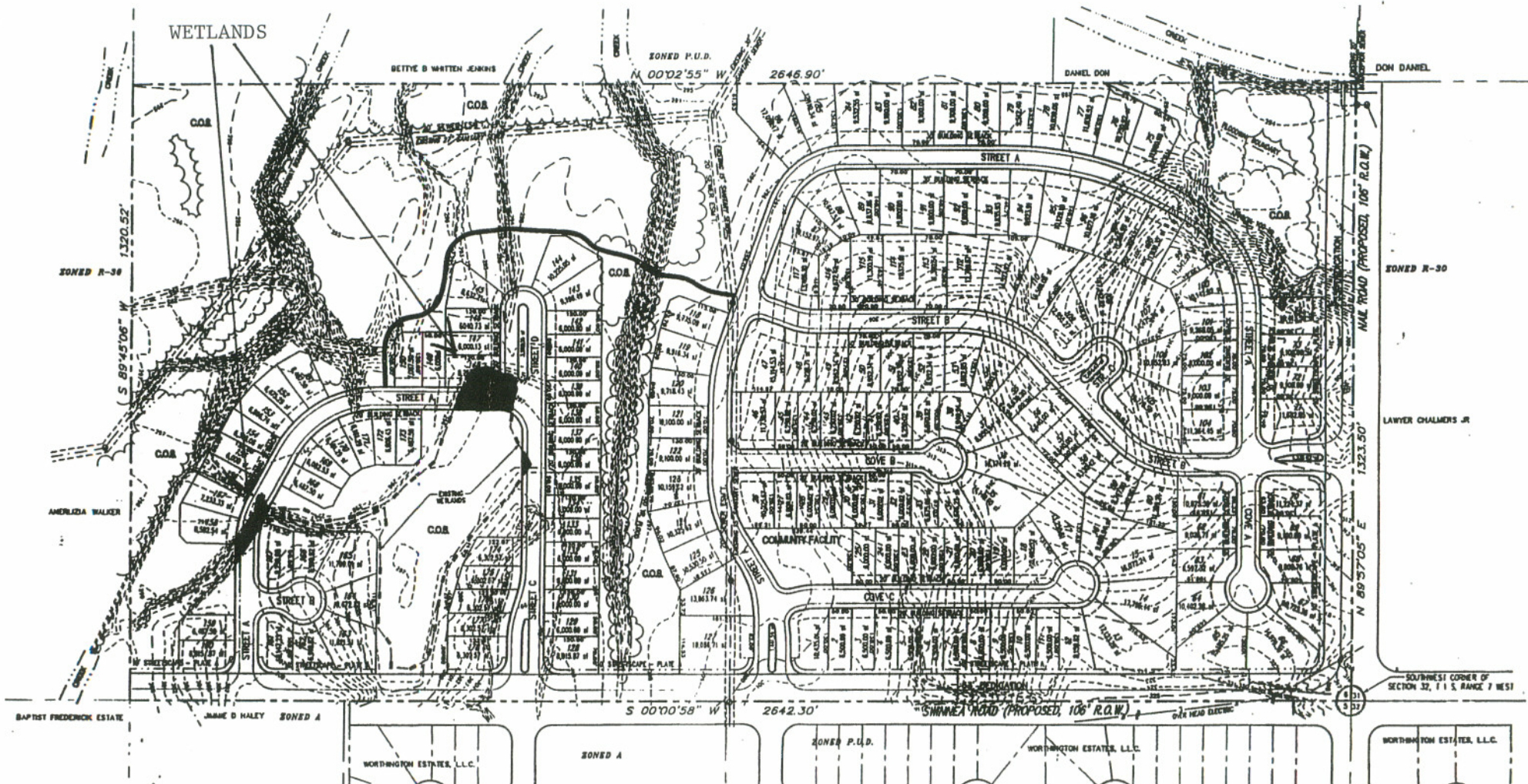


Larry D. Watson
Chief
Regulatory Branch

Attachments

ATTACHMENT 2: SITE PLAN

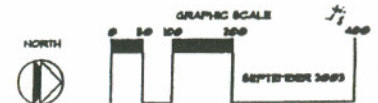
SITE PLAN



THE ESTATES AT SWINNEA RIDGE

PLANNED RESIDENTIAL NEIGHBORHOOD
 SOUTHAVEN, MISSISSIPPI

OWNER/DEVELOPER:
 Lantier Hurdle
 8710 North Creek Blvd.
 Southaven 38671



BOUNDARY AND ZONE PROVIDED BY: IRVING & ASSOC. 2/14/2000
 DEVELOPMENT GRAPHIC PREPARED TO ILLUSTRATE DEVELOPMENT POTENTIAL
 AND IS SUBJECT TO FINAL DESIGN AND APPROVALS. BOUNDARY AND
 TOPOGRAPHIC MAPS PROVIDED BY OTHERS FOR CREATION OF OFFICIAL
 COMPOSITE DEVELOPMENT ILLUSTRATION. THIS DOCUMENT IS THE PROPERTY
 OF LANTIER HURDLE AND MAY NOT BE REPRODUCED WITHOUT PRIOR
 WRITTEN CONSENT.

